

Bond Ballot Script – June 8th 2006

11:00 am

Greg Canally

Council, item 84 is an action item for the Council to finalize and approve the ballot language for the November 2006 bond election.

Finalizing this item will include setting the amounts for each proposition, making any wording changes to the ballot or the ordinance for each proposition, and fixing the order of the propositions on the ballot that voters will see in November.

You have included in your backup for this item the same ballot and ordinance language that was distributed to you a couple of weeks ago – we have not made any changes to the language or the amounts but are prepared to do so today based on your input.

We have with us again today Bart Fowler of McCall Parkhurst & Horton, the City's bond counsel – Bart can answer any questions you may have about wording changes.

Remember that the language that is in your backup has been vetted through our bond counsel with the State Attorney General's office. You can certainly make changes to the numbers and to the order of the propositions but any significant wording changes may be problematic at this point, as Bart can address.

Before I turn it over to the Council, I want to point out two things about the current language. I have one change that staff is suggesting and then I want to address a concern I have heard about one of the propositions.

The change that staff is going to suggest is in prop 2, and it is that we add to the description of things we would acquire with the bond funds the words "open spaces." This prop would then be corrected as you see on the screen now. If Council agrees with this suggested change, it can be added in as a motion along with the other changes to be made.

The second thing I want to discuss with you is the concern I have heard about what the \$20 million in funds for parkland that are included in prop 3 – the parks prop – can be used for.

My understanding is that there is interest on Council's part in using \$5 million of the \$20 million for open space land in East Austin – for using it on something like a prairie preserve.

I think the language that is now in prop 3 envisions that particular use – if you look at it on the screen – it now talks about funds for “natural areas.”

We spoke yesterday with our bond counsel about this specific point and he said with no change to the way this prop is worded, we could use \$5 million for buying land for something like a prairie grass preserve, with the remaining \$15 million going for greenways and park infill in the urban core and in East Austin.

So, I think the concern of being able to use the money for open space in East Austin is addressed through the current ballot wording.

Council, I know there are a number of changes you want to propose to the propositions, so my suggestion at this point would be that you walk through the propositions one by one and either make a motion to include them as they are currently worded, including the amount, or make motions to amend them.

So you could walk through each proposition as they are currently numbered and then at the end address the order of how they would actually appear to the voters in November, and complete your action with a final vote on the entire bond program.

Mayor

Thank you Mr. Canally. Council, I recommend that we take Greg's suggestion and go through each proposition as they're currently laid out – I will then entertain motions to amend the contents of the propositions as we come to them.

Before we get into Prop 1, I'll recognize Council Member Dunkerly

Betty makes the following motion:

Mayor, I move that we adopt a 7-year bond program. By doing so, this will allow us to keep the increase to tax rate below 2-cents, but still allow us to have a bond program greater than the amount that staff previously shown. In fact, a \$567 million bond package will result in an additional tax-rate of 1.88 cents.

Brewster seconds the motion.

VOTE ON THE MOTION

1.0

(go to next page for Prop 1)

Prop 1 - Transportation

Mr. Canally, would you recap prop 1 for us please?

Greg recaps –

Mayor then asks:

Does anyone have any amendments to this proposition – remember that we will consider the order of the ballot language after we have gone through and made any changes to each proposition.

(should be no changes to this one)

Betty makes the following motion:

I move that we adopt a Transportation bond proposition in the amount of \$103.1 million.

Mayor Pro Tem seconds the motion

1-0

Mayor calls the vote -

VOTE ON THE MOTION TO ADOPT THE TRANSPORTATION PROPOSITION

(go to next page for Prop 2)

Prop 2 – Drainage & Water Quality Land

Greg recaps prop 2 –

Mayor asks for amendments to this proposition.

Lee makes the following motion:

This proposition currently contains \$30 million for open space or water quality protection land. I move that we increase that from \$30M to \$50M, which is \$5 million higher than the recommendation we received from the Bond Election Advisory Committee. This would bring the total proposition amount to \$145 million - \$95 million for drainage and \$50 million for open space / water quality protection land acquisition.

I would also include in the motion that we adopt staff's suggested change to the language in the Part 1 and Part 2 of the draft ordinance for this proposition by inserting the words "open spaces" as Mr. Canally spoke to earlier.

Jennifer seconds the motion.

10

Mayor asks for any other amendments (*there should be none*) – and calls the vote.

VOTE ON THE MOTION TO ADOPT THE DRAINAGE AND WATER QUALITY LAND PROPOSITION

(go to next page for Prop 3)

Prop 3 – Park Facilities and Parkland

Greg recaps prop 3 –

Mayor asks for amendments to this proposition.

I will entertain other motions on this proposition, but I would first like discuss a concern of mine -

I would like to reduce the parks renovations amount by \$2 million, and to make it available for projects related to the African-American Quality of Life Initiative.

While I believe these are necessary renovations, I feel they are better suited to be funded in the Parks Department's operating budget. I will work with the City Manager during the upcoming budget process to identify ways to replace this \$2 million in funding for these park renovations.

Mayor Pro Tem makes the following motion:

I move to reduce the parks renovations amount by \$2 million, and to re-allocate \$500,000 of the \$2 million to the renovation of the Rosewood Park House as part of the African-American Quality of Life Initiative.

Jennifer seconds the motion.

VOTE ON THE MOTION 7-0

Mayor asks if there are other amendments.

Jennifer then makes the following motion:

I move to add \$500,000 for renovations to the Elisabet Ney Museum and \$500,000 for renovations to the Susanna Dickinson House, for a total increase of \$1 million.

Brewster seconds the motion.

VOTE ON THE MOTION 12-0

Mayor asks if there are other amendments (there should be none)

Lee then makes the following motion:

I move that we adopt a Park facilities and Parkland proposition as amended in the amount of \$84.7 million – with \$64.7 million for Parks facilities and \$20 million for parkland.

Raul then seconds the motion.

7-0

Mayor calls the vote -

VOTE ON THE MOTION TO ADOPT THE PARKS FACILITIES & PARKLAND PROPOSITION.

(go to next page for Prop 4)

Prop 4 – Affordable Housing

Greg recaps prop 4 –

Mayor asks for amendments to this proposition.

Raul makes the following motion:

Mayor, I move that we amend the affordable housing proposition by increasing the amount dedicated to affordable housing by \$5M – from \$50M to \$55M.

Lee seconds the motion with the following friendly amendment -

I'll second that motion, but with Council Member Alavarez entertain a friendly amendment relating to changes to the wording of the ballot language, to insert into Part 1 and Part 2 of the draft ordinance, the language "for low income persons and families" so that it reads:

" ... affordable housing facilities FOR LOW INCOME PERSONS AND FAMILIES, ... "

The rest of the language would read as is.

VOTE ON THE MOTION 7-0

Mayor asks if there are other amendments (there should be none)

Betty then makes the following motion:

I move that we adopt an Affordable Housing proposition as amended in the amount of \$55 million.

Raul then seconds the motion.

Mayor calls the vote - 7-0

VOTE ON THE MOTION TO ADOPT THE AFFORDABLE HOUSING PROPOSITION

Prop 5 – Central Library

Greg recaps the prop --

Mayor then asks:

Does anyone have any amendments to this proposition –
(should be no changes to this one)

Brewster makes the following motion:

I move that we adopt a Central Library bond proposition in the
amount of \$90 million.

Jennifer seconds the motion.

Mayor calls the vote - 7-0

***VOTE ON THE MOTION TO ADOPT THE CENTRAL LIBRARY
PROPOSITION.***

(go to next page for Prop 6)

Prop 6 – Cultural Facilities

Greg recaps the prop –

Mayor asks for amendments to this proposition

Mayor Pro Tem makes the following motion:

Mayor, I move that we amend this proposition by adding \$1.5 million for African-American Cultural and Heritage facilities.

Lee seconds the motion.

VOTE ON THE MOTION 7-0

Raul makes the following motion:

Mayor, I move that we add \$5 million to this proposition for the Mexic-Arte museum.

Betty seconds the motion.

VOTE ON THE MOTION 7-0

Jennifer makes the following motion:

Mayor, I'd like to make a motion in two parts – to suggest changes in the wording in Part 1 and Part 2 of the draft ordinance for this proposition. First, I think we should call the facilities included in this proposition "community and cultural facilities" rather than just "cultural facilities."

The second part of the motion would then be to name specifically the facilities that will be renovated or constructed in this proposition. I would therefore propose that we insert after the words "community and cultural facilities" the following language:

"including, without limitation, the Zachary Scott Theater, an African American Cultural and Heritage facility, an Asian American Resource Center, the Austin Film Studios, the Mexican American Cultural Center, and a Mexic-Arte Art Museum"

The rest of the language would read as is.

Mayor Pro Tem seconds the motion.

VOTE ON THE MOTION 9-0

Brewster makes the following motion:

Mayor, the Mexic-Arte project is a worthwhile addition to our bond package but it also brings with it significant fundraising requirements. I know in the past we have had problems with bond propositions that passed but were not spent because for one reason or another, the projects could not get off the ground.

I would, therefore, make a motion that we include language to the effect that we not issue the bonds for this project until the funds have been raised or substantially raised to complete the project.

This language wouldn't be in the ballot itself but could be put in the ordinance for this proposition.

The specific wording I suggest we add to the ordinance – again, it will not go in the ballot – is to add a Part 3 to the ordinance that would read:

"The Council intends that any bonds or notes issued for the ~~Mexic-Arte Art Museum~~ will only be issued in the event that the Council determines sufficient matching funds have been raised by ~~Mexic-Arte Museum~~, a Texas non-profit

org resp of KSEC & opera

not on the ballot

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corporation, that when added to the proceeds from the bonds or notes will fund in full the proposed ~~Mexic-Arte Museum.~~

alter + kn fe)

Betty seconds the motion.

VOTE ON THE MOTION 1-0

Mayor asks if there are other amendments (there should be none)

Jennifer then makes the following motion:

I move that we adopt a Community and Cultural Facilities proposition as amended in the amount of \$31.5 million.

Mayor Pro Tem then seconds the motion.

Mayor calls the vote - 1-0

VOTE ON THE MOTION TO ADOPT COMMUNITY AND CULTURAL FACILITIES PROPOSITION.

(go to next page for Prop 7)

Prop 7 – Public Safety

Greg recaps –

Mayor then asks:

Does anyone have any amendments to this proposition
(should be no changes to this one)

Mayor Pro Tem makes the following motion:

I move that we adopt a Public Safety bond proposition in the
amount of \$58.1 million.

Lee seconds the motion

Mayor calls the vote - 7-0

***VOTE ON THE MOTION TO ADOPT THE PUBLIC SAFETY
PROPOSITION***

Mayor

OK, Council, if there are no other changes to be made to the ballot language or the amounts of the propositions, I suggest we now consider what the order of the propositions on the ballot should be for November and that we adopt the bond program as amended.

I'll entertain motions on this.

Jennifer makes the following motion: ***NOTE to Jennifer – order as desired***

I move to order the propositions as follows:

- Prop 1 – Transportation
- Prop 2 – Drainage and Water Quality/Open Space Land
- Prop 3 – *Park Facilities & Parkland*
- Prop 4 – *Arts & Cultural facilities*
- Prop 5 – *Public Safety*
- Prop 6 – *Public Safety*
- Prop 7 – *Public Safety*

Additionally, I move that we adopt a Bond Election to be held in November 2006 in the amount of \$567.4 million

Betty seconds the motion.

Mayor calls the vote – 1-0

**VOTE ON THE MOTION TO SET THE BALLOT ORDER AND
APPROVE THE ORDINANCE AS AMENDED ESTABLISHING BOND
PROPOSITION LANGUAGE FOR THE NOVEMBER 2006 SPECIAL
BOND ELECTION IN THE AMOUNT OF \$567.4 MILLION**